

A-70178  
ESW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
JOHN ZAJAC ET AL.  
Serial No. 09/886,654  
Filed: June 21, 2001  
For: FAST ETCHING SYSTEM  
AND PROCESS

Examiner: Kin Chan Chen

Group Art Unit: 1765

January 27, 2003

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**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed December 27, 2002, applicant provisionally elects the claims of Group II (Claims 3 - 4) for examination in this application. However, reconsideration and withdrawal of the requirement is requested.

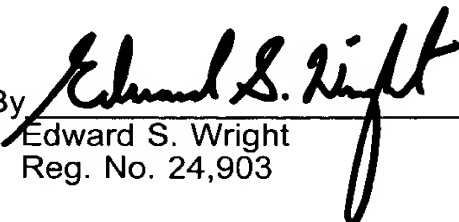
The only reason given by the Examiner for the requirement is that the apparatus as claimed can be used to practice another and materially different process such as cleaning or coating the semiconductor. However, both of those processes are closely related to etching in that they all involve the application of reagent gases to the surface of the semiconductor. The process and apparatus claims parallel each other, with a one-to-one correspondence in their elements, and there is no reason to think that either an etching process or a coating process could be carried out within the operational parameters set forth in the apparatus claims.

Moreover, because of the closely related nature of the apparatus and the process, as claimed, they involve similar if not identical subject matter, and a proper search of the process will necessarily include a search of the apparatus.

It is, therefore, respectfully submitted that the restriction requirement is improper and that it should be withdrawn.

The Commissioner is authorized to charge any fees required in this matter, including extension fees, to Deposit Account 50-2319, Order No. A-70178/ESW.

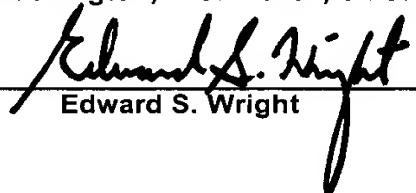
Respectfully submitted,

By   
Edward S. Wright  
Reg. No. 24,903

(650) 494-8700

**CERTIFICATE OF MAILING**

I hereby certify that the foregoing Response to Restriction Requirement is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 27, 2003.

  
Edward S. Wright